

**MIDWAY WATER ADVISORY BOARD
MONDAY March 7, 2022
MEETING MINUTES**

Minutes of the Midway Water Advisory Board meeting held March 7, 2022, at 6:00 p.m. in the Midway City Office Building, 75 North 100 West, Midway, UT.

Roll Call

Irrigation Members: President/Chair Steve Farrell, Grant Kohler, and Brent Kelly. Midway City: Mayor/Co-Chair Celeste Johnson, City Councilman Steve Dougherty, City Councilman Jeff Drury, Wes Johnson, City Engineer, Michael Henke, City Planner and Jennifer Sweat, Treasurer/Midway Water Advisory Board Secretary.

General Consent Calendar

Midway Irrigation President/Chair Steve Farrell asked for approval of the General Consent Calendar which consisted of:

- a. Approval of the Agenda for March 7, 2022
- b. Approve Meeting Minutes February 7, 2022

Motion: Midway Irrigation Member Grant Kohler made a motion to approve the General Consent Calendar, City Council Member Jeff Drury 2nd the motion.

Midway Irrigation President/Chair Steve Farrell asked if there were further questions regarding this item? There was not.

Motion was carried unanimously.

Midway Springer Bakery – 65 North 200 West

Michael Henke, City Planner presented the following information for the project:

- Applicant proposing to demolish existing home and rebuild a new commercial structure.
- **Items Being Reviewed:**
 - Exterior of Commercial Structure
 - Signage
- **Zoning:** C-3 Zone
- **Parcel:** 0.80 acres. Applicant owns 1.85 acres in total
- **Proposed Structure Size:**
 - Basement (if possible): 1,800SF
 - Main: 1,800SF

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- Second Floor: 900SF
- Porch: 300SF

Applicant, Travis Nokes indicated that they were no longer going to do the basement due to pot rock and being below the sewer line. There would be the main level, and the second floor, along with the porch. The board reviewed the google maps, images of the proposed structure, the floor plans for each part of the home, and a site map of the project.

The current water uses for the location:

- Culinary connection
 - 0.8-acre feet
- Outside irrigation
 - 0.8 acres (34,848 – 8,000 square feet = 26,848 sq. ft.)
 - 0.62 irrigated area = 1.85-acre feet
- Total water usage = 2.65-acre feet

Planner Henke presented the following recommended possible water requirements:

- # Seats x 10 GPD x 365 days per year / 325,851 Gallons per acre feet x 1.77 return flow = acre feet water requirement
- Restaurant seats
 - 32 seat x 10 GPD = 0.36-acre feet x 1.77 (return flow) = 0.64-acre feet
- Office bathrooms
 - 4 half bathrooms (6 employees) = 0.1-acre feet x 1.77 (return flow) = 0.18-acre feet
- Commercial kitchen = 72,000 gallons = 0.22-acre feet
- Total = 1.04-acre feet

Outside irrigation = ?

There are unknowns for the entire property that is owned by the property owner. The board felt that they needed to see a master plan of the entire property, not just the bakery part. They would like to see a site plan for the entire property. The board felt that it was best to continue the item to the April water advisory board meeting so that the applicant could provide more information.

Midway Irrigation President/Chair Steve Farrell asked if there were further questions regarding this item? There was not.

Motion: Mayor/Co-Chair Celeste Johnson made the motion to continue the item at this time with the request of additional information for the entire site, and a Master Plan for the project, with the idea they would come back to the water advisory board in April 2022. . Midway Irrigation Member Brent Kelly 2nd the motion.

Midway Irrigation President/Chair Steve Farrell asked if there were further questions regarding this item? There was not.

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Motion was carried unanimously.

Alan and Debbie Neerings/Jake and Hayden Neerings – 36 S 750 East

Michael Henke, City Planner presented the following information from the applicant's application

Project Name: Neerings 2 EDU Well Water to Midway City

Location: 36 S 750 E, Midway, UT 84049 - Parcel 00-0006-6154 (1 Home) and Parcel 00-0020-3370 (1 Home)

Total Acreage: _____ **Number of Units:** 2 **Historically Irrigated Area:** _____

Existing Water Connections: 1 Well with 2 EDUs, .5 acres of irrigation, and 12 livestock (Water Right 55-937).
Only 2 EDUs under consideration for this application.

Comments:

We would like to transfer the 2 EDUs (2 domestic house water rights) from our well to Midway City in return for 2 domestic/culinary water hook-ups from Midway City for future development on parcel 00-0020-9351 (located behind our home). We plan on subdividing this parcel in the future so that two children can build homes there. Our well is certificated and has been claimed as part of the adjudication. The well is currently in use and is not dry. The well is connected to two homes that are also currently connected to Midway City culinary water.

Please submit with application Site Plans, Plat Maps, Drawings or any information that pertains to water calculations.

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The board reviewed the property via google maps, and the plat maps. They also reviewed the well information from the state website:

Points of Diversion:																		
Points of Diversion - Underground:																		
(1) S 430 ft. W 1035 ft. from E4 corner, Sec 35 T 3S R 4E SLBM																		
Well Diameter: 6 in.				Depth: 94 to ft.				Year Drilled: 1960				Well Log: Yes Well Id#: 3227						
Elevation:				UTM: 461304.996, 4484833.463 (NAD83)														
Source/Cmnt:																		
Proposed Water Uses:																		
Proposed Water Uses - Group Number: 409532																		
Water Use Types:																		
Irrigation-Beneficial Use Amount: 0.5 acres				Group Total: 0.5				Period of Use: 04/01 to 10/31										
Stock Water-Beneficial Use Amount: 12 ELUs				Group Total: 12				Period of Use: 01/01 to 12/31										
Domestic-Beneficial Use Amount: 2 EDUs				Group Total: 2				Period of Use: 01/01 to 12/31										
Place Of Use:		North West				North East				South West				South East				Section
		NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	Totals
Sec 35 T 3S R 4E SLBM																X		
Group Acreage Total :																		
Place of Use Stock:																		
		North West				North East				South West				South East				
		NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	
Sec 35 T 3S R 4E SLBM																X		
Use Totals:																		
Irrigation sole-supply total: 0.5 acres				for a group total of: 0.5 acres														
Stock Water sole-supply total: 12 ELUs				for a group total of: 12 ELUs														
Domestic sole-supply total: 2 EDUs				for a group total of: 2 EDUs														

The Neerings would like to retain the well, and only sign over 2 ERU, but retain the other rights. The board felt that this would not work, that the entire well would need to have a change application, and the well would need to be changed into the name of Midway City, and the well would be capped. The Neerings uses the well water in the winter for livestock, and if the well is taken, they will not have that. However, the board indicated that culinary water could be used in the winter for watering livestock because the city does not meter the water during the winter. Then when the secondary water is turned on in April, they could then use the irrigation water.

There was a discussion on if the change application were done with the state, and then the water would be in escrow, so that when the Neerings want to build two additional homes, that water would already have been turned in. If the entire well were changed over into the City's name, the water would be directed to the Alpenhof Well.

The board discussed different options however it was ultimately decided that the Water Advisory Board could recommend to the City Council to sign the change application, and have it sent to the state and see what they

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determine, and if any hair cut is taken. If it did not work out how the Neerings would like, then the change application could be dropped. But the City Council have to sign the change application.

Midway Irrigation President/Chair Steve Farrell asked if there were further questions regarding this item? There was not.

Motion: Midway Irrigation Member Grant Kohler recommended that the City Council review the change application for the entire well to be placed in the City's name and sign off on the change application to be taken to the state. City Council Member Jeff Drury 2nd the motion.

There was discussion regarding whether the Neerings would like to proceed or not, however this is what the Water Advisory Board could do for them, which is recommending the City Council review the change application and sign off on it to be sent to the State for review. If it comes back from the state with too much of a haircut, or the Neerings change their mind, then it would not proceed, but the recommendation needs to come from the Water Board to City Council to proceed.

Midway Irrigation President/Chair Steve Farrell asked if there were further questions regarding this item? There was not.

Motion was carried unanimously.

M&I Water Midway City

The board reviewed the current water leases using the M&I Water that was Midway City's.

M&I WATER				
	Original	Slough	Revised	Amount
Leased from WCSSA #1	158.00	0.00	158.00	
Brent Colwell – 339301 #	1.50		1.50	600.00
Doug Palmer – 139511 #	1.00		1.00	400.00
Fox Pointe – A/R 520	33.00		33.00	13200.00
Nephi Jenson – 103851 #	0.66		0.66	5.00
Quinn Calder – 122351 #	1.26		1.26	10.00
Robert Riddle – 122001 #	0.51		0.51	5.00
The Links – A/R 864	70.50	15.31	55.19	22076.00
Zermatt – A/R 868	6.00		6.00	2400.00
Total	114.43	15.31	99.12	38696.00
Remaining	43.57	-15.31	58.88	38696.00

As of February 9, 2022

Yearly Fee to Wasatch County Special Service Area 1 is \$34,128.00
(Bill is \$42660.00 for 158 acre feet of M&I Water, which is \$270.00 per,
however a discount is given to \$216.00 per)

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There was discussion on how it was determined who received the water leases. The only lease that has been done recently was Doug Palmer, and that was the Water Advisory Board that recommended that.

The board asked Secretary/Treasurer Jennifer Sweat to pull all the water lease agreements, and send them to Corbin Gordon, City Council, to review the agreements. Also, the board would like meeting minutes pulled regarding each water lease. Once that had been done, then later the board could review the M&I water leases.

No motion was made

New Old/Business

Midway Irrigation President/Chair Steve Farrell if there was anything else that needed to be discussed? There was not.

City Councilman, Steve Dougherty moved for adjournment, and City Councilman Jeff Drury 2nd the motion.

Motion was carried unanimously. Meeting was adjourned at 7:27 p.m.